IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33433 of 2008
CHABIKANT DUBEY
Versus
STATE OF BIHAR
---

3 **29.08.2008** Heard learned counsel for the petitioner and the State (vigilance).

Petitioner is an accused in a case registered for the offences under Sections 468/471/218/120B of the Indian Penal Code and section 13(2) and 13(1)(d) of the Prevention of Corruption Act.

It has been submitted on behalf of the petitioner that the allegation against the petitioner is to the effect that he was appointed in the department of Animal Husbandary about 23 years back allegedly on forging the resolution of the State government which has approved the list for appointment and in the list names of nine persons were added and out of those nine names the petitioner is one of them getting such appointment. It is further submitted that out of nine persons one co-accused namely, Ram Chandra Prasad was also beneficiary of such appointment, has been allowed anticipatory bail by this court as per the order dated 21.11.2006 passed in Cr. Misc. No. 45101 of 2006.

Learned counsel appearing for the vigilance submits that although bail has been granted to the said

WEB COPY
NOT OFFICIAL

co-accused Ram Chandra Prasad, however this petitioner is not cooperating and evading his arrest by supplying wrong address, and as such, he is not entitled to be granted anticipatory bail.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of six weeks from today, the petitioner, namely, Chabikant Dubey be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Vigilance Ist Patna, in connection with Vigilance Case No. 15 of 2006 arising out of Spl. Case No. 13 of 2006 2008 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

WEB COPY NOT OFFICIAL

It is, however, made clear that in case it is found that the petitioner is not cooperating with the investigation of the case, the prosecution will be at liberty to take steps for cancellation of his bail by filing appropriate application.

Manish/- **(Shailesh Kumar Sinha,J.)**